



03-03-06

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20985 7590 12/01/2005

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Date of Deposit: March 1, 2006

FISH & RICHARDSON P.C.
P.O. Box 1022
Minneapolis, MN 55440-1022

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/630,473	07/29/2003	Mark E. Deem	17075-004008/0103H	9190

TITLE OF INVENTION: METHODS AND DEVICES FOR USE IN PERFORMING PULMONARY PROCEDURES

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$700	\$300	\$1000	03/01/2006
EXAMINER	ART UNIT	CLASS-SUBCLASS			
LEWIS, AARON J.	3743	128-207140		03/06/2006 SDENBOB2 00000005 10630473	
1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).	2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.			01 FC:2501 02 FC:1504 03 FC:878 Fish & Richardson P.C.	700.00 OP 300.00 OP 15.00 OP
[] Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.				2. Fred C. Hernandez	
[] "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.				3. _____	

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

Emphasys Medical, Inc.

Redwood City, CA

Please check the appropriate assignee category or categories (will not be printed on the patent): individual corporation or other private group entity government

4a. The following fee(s) are enclosed:

Issue Fee
 Publication Fee (No small entity discount permitted)
 Advance Order - # of Copies 5

4b. Payment of Fee(s):

A check in the amount of the fee(s) is enclosed.
 Payment by credit card. Form PTO-2038 is attached.
 The Director is hereby authorized to charge the required fee(s), or credit any overpayment, to Deposit Account Number 06-1050 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

[] a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

[] b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

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(Authorized Signature)

(Date) March 1, 2006

Typed or Printed Name Fred C. Hernandez

Registration No. 41,832

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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TRANSMIT THIS FORM WITH FEE(S)



Attorney's Docket No.: 17075-004008 / 0103H

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Mark E. Deem, et al.

Serial No. : 10/630,473

Filed : July 29, 2003

Art Unit : 3743

Examiner : Aaron J. Lewis

Confirmation No.: 9190

Notice of Allowance Date: December 1, 2005

Title : METHODS AND DEVICES FOR USE IN PERFORMING PULMONARY PROCEDURES

MAIL STOP ISSUE FEE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF ALLOWANCE

In response to the Notice of Allowance mailed December 1, 2005, enclosed are a completed issue fee transmittal form PTOL-85b and a check for \$1015 for the required issue fee and publication fee, including patent copies.

Please apply any additional charges or credits to our Deposit Account No. 06-1050.

Respectfully submitted,

Date:March 1, 2006


Fred C. Hernandez
Reg. No. 41,832

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